United Nations S/2010/476

Security Council

Distr.: General
15 September 2010

Original: English

United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its previous resolutions in particular 1921 (2010), and the statement of its President of 5 May 2009 (S/PRST/2009/12),

Reaffirming the sovereignty, territorial integrity and political independence of Nepal and its ownership of the implementation of the Comprehensive Peace Agreement and subsequent agreements,

Recalling the signing on 21 November 2006 by the Government of Nepal and the Communist Party of Nepal (Maoist) of a Comprehensive Peace Agreement, and the stated commitment of both parties to find a permanent and sustainable peace,

Acknowledging the strong desire of the Nepalese people for peace and the restoration of democracy and the importance in this respect of the implementation of the Comprehensive Peace Agreement and subsequent agreements by the relevant parties,

Expressing its continued readiness to support the peace process in Nepal in the timely and effective implementation of the Comprehensive Peace Agreement and subsequent agreements, in particular the 25 June 2008 Agreement, as requested by the Government of Nepal,

Noting that the deadline for the promulgation of the new democratic constitution of Nepal has been extended to 28 May 2011,

Expressing concern at the recent tensions in Nepal,

Calling on all sides to resolve their differences through peaceful negotiation and *noting* in this regard the agreement between the caretaker Government of Nepal and the political parties reached on 13 September 2010 namely (i) documents prepared in the Special Committee will be finalized soon with an understanding to forge ahead the peace process and the agreed documents will be implemented; (ii) the combatants of the Maoist army will be brought under the Special Committee and their total profile will be submitted to the Special Committee without delay; (iii) the remaining tasks of the peace process will be started from 17 September 2010 and will be completed by 14 January 2011; and (iv) the wish of the parties that the tenure of the United Nations Mission in Nepal (UNMIN) shall be extended for four months as the last extension,

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Welcoming the report of the Secretary-General of 2 September 2010 on UNMIN (S/2010/453),

Recalling the completion of two phases of the verification process, welcoming continuing assistance with the monitoring of the management of arms and armed personnel of both sides in accordance with resolution 1740 (2007) and in line with the provisions of the Comprehensive Peace Agreement, noting the importance of a durable long-term solution and the need to address outstanding issues, including agreeing the modalities for the conclusion of UNMIN's presence in Nepal, without further delay,

Welcoming the completion of the discharge process for disqualified Maoist army personnel as agreed in the 16 December 2009 action plan for the discharge and rehabilitation of Maoist army personnel disqualified as minors agreed between the Government of Nepal, the Unified Communist Party of Nepal (Maoist) and the United Nations, and calling upon all parties to continue implementing this action plan, with the appropriate monitoring and reporting activities, in accordance with resolutions 1612 (2005), and 1882 (2009),

Recalling that with the successful holding of the Constituent Assembly elections, some of the elements of the mandate of UNMIN as set out in resolution 1740 (2007) have already been accomplished,

Taking note of the letters to the Secretary-General of 14 September from the caretaker Government of Nepal (S/2010/474) and the Unified Communist Party of Nepal (Maoist), which request a final extension of the mandate of UNMIN until 15 January 2011,

Recognizing the need to pay special attention to the needs and the role of women, children and traditionally marginalized groups in the peace process, as mentioned in the Comprehensive Peace Agreement and resolution 1325 (2000),

Recognizing the need to address impunity and to promote and protect human rights, and to strengthen the capacity of independent national human rights institutions in accordance with international principles,

Recognizing that civil society can play an important role in democratic transition and conflict prevention,

Expressing appreciation for the contribution of the Secretary-General's Representative and the efforts of her team in UNMIN, and the United Nations Country Team, including the Office of the High Commissioner for Human Rights which is monitoring human rights at the request of the Government of Nepal, and stressing the need for coordination and complementarity of efforts between the mission and all the United Nations actors in the mission area, particularly in order to ensure continuity, as the mandate comes to an end,

1. *Decides* in line with the request from the Government of Nepal to renew the mandate of UNMIN as established under resolution 1740 (2007) until 15 January 2011, taking into account the completion of some elements of the mandate and the ongoing work on the monitoring of the management of arms and armed personnel in line with the 25 June 2008 Agreement among the political parties, which will support the completion of the peace process;

2. *Decides further*, in line with the request from the Government of Nepal that UNMIN's mandate will terminate on 15 January 2011 after which date UNMIN will leave Nepal;

3. *Calls upon* all parties to take full advantage of the expertise and readiness of UNMIN, within its mandate, to support the peace process to facilitate the completion of outstanding aspects of UNMIN's mandate by 15 January 2011;

4. *Calls upon* the Government of Nepal and the Unified Communist Party of Nepal (Maoist) to implement both the agreement reached on 13 September 2010 as well as a timetabled action plan with clear benchmarks for the integration and rehabilitation of Maoist army personnel, with the support of the Special Committee for the supervision, integration and rehabilitation of Maoist army personnel, and its Technical Committee;

5. *Calls upon* all political parties in Nepal to expedite the peace process, and to work together in a spirit of cooperation, consensus and compromise in order to continue the transition to a durable long-term solution to enable the country to move to a peaceful, democratic and more prosperous future;

6. *Requests* the parties in Nepal to take the necessary steps to promote the safety, security and freedom of movement of UNMIN and associated personnel in executing the tasks defined in the mandate;

7. *Requests* the Secretary-General to report to the Security Council by 15 October, following high-level discussions between the UN and the caretaker Government of Nepal and the political parties, on the implementation of the 13 September agreement between the caretaker Government of Nepal and the political parties;

8. *Decides* to remain seized of the matter.